

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

George D. McCarley
Plaintiff
v.

Household Finance Corporation III
Defendant

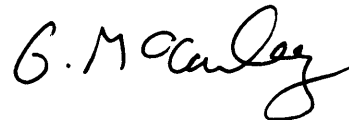
Civil Action No. 3:06-CV-0091-MEF
Lead Case

Request to Enter Default

FEDERAL RULES OF CIVIL PROCEDURE, RULE 55(a)¹
Request for Clerk to Enter Default²

To Deborah Hackett, Clerk of the United States District Court for the Middle District of
Alabama, Eastern Division:

You will please enter the default of the defendant³ for failure to plead or otherwise
defend as provided by the Federal Rules of Civil Procedure, as appears from the affidavit of
George D. McCarley, hereto attached.



Respectfully submitted

George D. McCarley, Pro Se
216B Chestnut Street
Roanoke, Al 36274
334-863-6489

¹ Rule 55(a) provides : "Entry. When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided in these rules and that fact is made to appear by affidavit or otherwise, the clerk shall enter his default."

² Request for Entry. – There are two steps in obtaining a judgment by default under Rule 55. The first step is to have the clerk enter the party's default under Rule 55(a). This is normally accomplished by a praecipe to the clerk; the fact that the party has "failed to plead or otherwise defend" must be made to appear by affidavit if it does not appear of record. Application should be made to Clerk and not the Court, although the Court may order entry of default. *United States v. Jackson* (DC Ore. 1938) 25 F. Supp 79. Entry of default judgment, as distinguished from entry of default, is governed by Rule 55(b)

³ The consolidated case found at 3:06 cv 00091 (lead case) includes Household Finance Corporation, III (00093), HSBC-Gr. Corp. (00102), HSBC Mortgage Services, Inc. (00104), HSBC Finance Corporation (00101), and, Household International, Inc. (00103).

PROOF OF SERVICE

I, George D. McCarley, do swear or affirm that on this date, April 18, 2007, as required by Supreme Court Rule 29 I have served the enclosed ACTION on each party to the above proceeding or that party's counsel, by depositing envelope containing the above documents in the United States Mail properly addressed to each of them, and with first class postage prepaid, or by delivery to a third party commercial carrier for delivery within 3 calendar days.

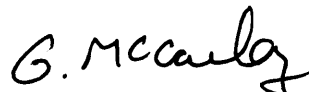
The Clerk

Middle District of Alabama, Eastern Division
One Church Street, PO Box 711
Montgomery, Al 36101-0711
334-954-3600

Defendant Attorney

Mr. George Parker
Bradley Arant Rose and White
Alabama Center for Commerce
401 Adams Avenue, Suite 780
Montgomery, Al 36104
334-956-7671, 956-7700

I declare under penalty of perjury that the foregoing is true and correct.



Executed on April 18, 2007

George D. McCarley